**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.19307 of 2006**

**Dated:20.09.2006**

**Between:**

Shri Vighneswara Colony Welfare and Development Society.

…Petitioner

and

The State of A.P., and others.

…Respondent

**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.19307 of 2006**

**ORDER:**

The predecessor of respondents 9 to 14 one Kurma Komaraiah submitted an application before the fourth respondent under Section 38 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (for short 'the Act'), claiming himself to be protected tenant and seeking a certificate under Section 38(6)(a) of the Act. In the said application he alleged that he purchased the land admeasuring Acs.8.17 guntas in Survey No.54/AA and Acs.13.13 guntas in Survey No.55 situated at Madinaguda Village of Serilingampally Mandal in Ranga Reddy District. The fourth respondent, who is duly constituted Tenancy Tribunal under the Act, by proceedings bearing No.G/1025/96, dated 20.07.1996, conducted enquiry and ordered to issue certificate in favour of Kurma Komaraiah in respect of the subject land. The petitioner herein purchased the land from Champa Devi and Har Kuvar Singh/Har Kuvar Parshad under five registered sale deeds executed in June and July 1982. In this Writ Petition, the petitioner assails the proceedings of the fourth respondent dated 20.07.1996.

Admittedly, the father of respondents 9 to 14 was issued a certificate under Section 38(1) and (6) of the Act more than ten years ago. The order of the Revenue Divisional Officer has become final. It is appealable under Section 90 of the Act. The petitioner, who

allegedly purchased the land even before the issuance of the impugned order, never challenged before the Joint Collector. For this reason alone, this Court is not inclined to interfere at this stage. If so advised, the petitioner may file an appeal before the Joint Collector by seeking condonation of delay.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

_____

(V.V.S.RAO, J)

20.09.2006
vs